



34-12-04

RECEIVED  
APR 28 2004  
TECH CENTER 1600/2900

## REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000 provides for continued examination of a utility or plant application filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA)

Application Number: 09/187,693

Filing Date: November 5, 1998

First Named Inventor: Aya Jakobovits

Group Art Unit: 1644

Examiner: Phuong N. Huynh

Attorney Docket Number: 06843.0067-02000

Attorney Customer Number: 22,852

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

Note: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) instead of a RCE to be eligible for patent term adjustment provisions of the AIPA. See "Changes to Application Examination and Provisional Application Practice," Interim Rule, 65 Fed. Reg. 14865 (March 20, 2000). Off. Gaz. Pat. Office 47 (April 11, 2000), which established RCE practice.

**1. Submission required under 37 C.F.R. § 1.114:**

- a.  Previously submitted
  - i.  Consider the amendment/reply after final under 37 C.F.R. § 1.116 previously filed on October 3, 2003.
  - ii.  Consider the arguments in the Appeal Brief of Reply Brief previously filed on \_\_\_\_\_.
  - iii.  Other \_\_\_\_\_
- b.  Enclosed:
  - i.  Amendment (4 pages)
  - ii.  Substitute Specification (109 pages)
  - iii.  Marked up version of the Specification (109 pages)
  - iv.  Information Disclosure Statement (3 pages) with Form PTO 1449 (2 pages) and cited documents
  - v.  Other: Copies of the OIPE-stamped postcard, Transmittal Letter, Revocation of Power of Attorney and Grant of New Power of Attorney, and Change of Correspondence Address previously filed on January 26, 2004.

**2. Miscellaneous**

- a.  Suspension of action on the above-mentioned application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; fee under 37 C.F.R. § 1.17(i) required.)
- b.  Other \_\_\_\_\_

**3. Fees**

04/14/2004 MAHMED1 00000092 060916 09187693

- a.  The filing fee is calculated as follows:
 

i. <input checked="" type="checkbox"/> \$770.00 fee required under 37 C.F.R. § 1.17(e)	01 FC:1801	770.00 DA
ii. <input type="checkbox"/> Petition for extension of time for (____ Months) \$_____		
- b.  Please charge \$770.00 to Deposit Account No. 06-0916 for the filing fee.
- c.  The Commissioner is authorized to charge any deficiencies in the filing fees, or credit any overpayments to Deposit Account No. 06-0916.

### Signature of Applicant, Attorney, or Agent Required

Name: Jennifer L. Elliott

Reg. No.: 50,584

Signature:

Date: April 8, 2004

### CERTIFICATE UNDER 37 CFR § 1.10 OF MAILING BY "EXPRESS MAIL"

I hereby certify that this correspondence is being deposited with the United States Postal Services "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated above and is addressed to Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Name: Sarah Barnett

Express Mail Label No.: EV 398889618 US

Signature:

Date: April 8, 2004

CERTIFICATE UNDER 37 CFR § 1.10 OF MAILING BY "EXPRESS MAIL"  
EL 398889618 US

April 8, 2004

USPS Express Mail Label Number

Date of Deposit

I hereby certify that this correspondence is being deposited with the United States Postal Services "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated above and is addressed to Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

By:

Sarah M. Barnett



RECEIVED  
APR 28 2004  
TECH CENTER 1200  
PATENT  
Customer Number: 123852  
Attorney Docket No. 06843.0067-02000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: ) Confirmation No. 3392  
Aya JAKOBOVITS et al. )  
Application No.: 09/187,693 ) Group Art Unit: 1644  
Filed: November 5, 1998 )  
For: HUMAN MONOCLONAL ) Examiner: Phuong N. HUYNH  
ANTIBODIES TO EPIDERMAL )  
GROWTH FACTOR )  
RECEPTOR )

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
**MAIL STOP RCE**

Sir:

**AMENDMENT**

Applicants now address a request in the Advisory Action mailed March 9, 2004.

Please amend the application as follows.

**Amendments to the Specification** begin on page 2 of this paper.

**Remarks** begin on page 3 of this paper.